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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,870	01/29/2001	Thomas Francis McGee III	US010016	7779
24737	7590	01/12/2005	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			TO, BAOQUOC N	
P.O. BOX 3001				
BRIARCLIFF MANOR, NY 10510			ART UNIT	PAPER NUMBER
			2162	
DATE MAILED: 01/12/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/771,870	MCGEE ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
	Baoquoc N To	2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 02 November 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-24 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_ .  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_ .

## DETAILED ACTION

### ***Continued Prosecution Application***

1. The request filed on 11/02/04 for a Requested For Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 09/771,870 is acceptable and a RCE has been established. An action on the RCE follows.
  
2. Claims 1-24 are pending in this application.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 13 and 19 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukidate (US. Patent No. 6,714,722 B1) in view of Geer et al. (US. Patent No. 6,788,882 B1).

Regarding on claim 1, Tsukidate teaches a method for searching for television programs comprising the steps of:

identifying at least one key object in at least one Internet document, wherein said key object represents a topic of interest (identifying the title of the of the suggested movie, recording the movie based on the identified title) (col. 6, lines 27- col. 9, lines 55);

sending said at least one key object to a search capable video recorder recorded movie and be retrieved to from the video recorder to view or reproduction) (col. 6, lines 27- col. 9, lines 55) (col. 6, lines 27- col. 9, lines 55).

Tsukidate does not explicitly teach conducting a key object search with said search capable video recorder to locate at least one television program that contains said at least one key object. However, Geer teaches "the DVR then presents the user with a prioritized list of programming blocks (channel time unit) from which the user can then pick with he or she wants to view (col. 11, lines 31-38). This suggested that user could search for a previous recorded movie to view using the concept of searching. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Tsukidate's system to include the searching the recorded movie in the DVR as taught by Geer in order to provide the user with the option to view and reproduce the record movie.

Regarding on claim 2, Tsukidate teaches the method recited in claim 1 further comprising the step of:

Identifying a plurality of key objects in at least one Internet document (col. 6, lines 27- col. 9, lines 55);

Placing said plurality of key objects in a list of key objects (col. 6, lines 27- col. 9, lines 55);

Sending said list of key objects to said search capable video recorder (col. 6, lines 27- col. 9, lines 55); and

Conducting a key object search with said search capable video recorder to locate at least one television program that contains at least one key object in said list of key objects (col. 6, lines 27- col. 9, lines 55).

Regarding on claim 3, Tsukidate teaches the method of recited in claim 2 comprising the step of: increasing the number of said plurality of key objects in said list of key objects by adding key objects to said list that are similar to said plurality of key objects in said list of key objects (col. 6, lines 27- col. 9, lines 55).

Regarding on claim 4, Tsukidate teaches the method recited in claim 1 further comprising the steps of: providing search results of said key object search to a viewer, said search results identifying at least one television program that contains at least one key object (col. 6, lines 27- col. 9, lines 55);

Selecting at least one television program that contains at least one key object in response to a viewer instruction (col. 6, lines 27- col. 9, lines 55); and

Recording in said search capable video recorder said at least one television program selected by said viewer (col. 6, lines 27- col. 9, lines 55).

Regarding on claim 5, Tsukidate teaches the method recited in claim 1 further comprising the steps of: receiving in said search capable video recorder search results of said key object search, said search results containing at least

one television program that contains at least one key object (col. 6, lines 27- col. 9, lines 55); and

Recording in said search capable video recorder at least one of the television program identified in said search results (col. 6, lines 27- col. 9, lines 55).

Regarding on claim 6, Tsukidate teaches the method recited in claim 5 further comprising the steps of: using a selection criterion to select at least one television program from said search results to be recorded (col. 6, lines 27- col. 9, lines 55).

Regarding on claim 7, Tsukidate teaches the method recited in claim 6 wherein said selection criterion comprises one of: selecting only those television programs that will be shown in a particular time period, selecting only those television program that are deemed to be the most relevant to a particular topic, selecting all television programs that appear within a search results until the disk space limit of a search capable video recorder has been reached, selecting television program that may be overwritten by said search capable video recorder, and selecting television programs that may not be overwritten by said search capable video recorder (col. 6, lines 27- col. 9, lines 55).

Regarding on claim 8, Tsukidate teaches the method recited in claim 5 further comprising the step of: recording in said search capable video recorder all of the television programs identified in said search results (col. 6, lines 27- col. 9, lines 55).

Regarding on claims 9, 15 and 20, Tsukidate teaches the method recited in claim 1 wherein said key object search is conducted for a predetermined period of time (col. 6, lines 27- col. 9, lines 55).

Regarding on claims 10, 16 and 21, Tsukidate teaches the method recited in claim 1 wherein said key object search identifies at least one television program using program identification information (col. 6, lines 27- col. 9, lines 55).

Regarding on claims 11, 17 and 22, Tsukidate teaches the method recited in claim 1 wherein said key object search identifies at least one television program by analyzing at least one video stream of at least one television program to find objects that match the key object used in said key object search (col. 6, lines 27- col. 9, lines 55).

Regarding on claims 12, 18 and 23, Tsukidate teaches the method recited in claim 1 wherein said search capable video recorder comprises one of: a video recorder with a hard disk memory, a television set with a video recorder with a hard disk memory, a set top box with a video recorder with a hard disk memory, a video cassette recorder with a hard disk memory, and a personal computer with a video card (col. 6, lines 27- col. 9, lines 55).

Claim 13 is rejected under the same reason as to claim 1, in addition Geer also teaches the list of prioritized list of programming blocks from the user can pick what he or she wants to view which corresponding to providing a search result of said key object search to a viewer, said search results identifying at least one television program that contains at least one key object, selecting at

least one television program that contains at least one key object in response to a viewer instruction (col. 11, lines 33-38).

Regarding on claim 14, Geer teaches the method recited claim 14 further comprising the steps of: conducting said key object search in said search capable video recorder in television programs that have previously been recorded in said search capable video recorder (col. 11, lines 32-38).

Claim 19 is rejected under the same reason as claim 1, and Geer also teaches the movie list which the same as the list of key object (col. 6, lines 30-35).

Regarding on claim 24, Tsukidate teaches notifying said viewer when said search capable video recorder has recorded said at least one television program selected by said viewer (col. 11, lines 53-65).

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Baoquoc N. To

Jan 1, 2004



JEAN M. CORRIELUS  
PRIMARY EXAMINER